

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

ORDER

Plaintiff, William M.A. Decroy, filed this action under 42 U.S.C. § 1983, alleging various violations of his constitutional rights. The Complaint (Dkt. 1), however, was not on the proper form, and Plaintiff had neither paid the filing fee nor filed a motion to proceed *in forma pauperis*. On September 30, 2021, United States Judge Shon T. Erwin ordered Plaintiff to cure these deficiencies by no later than October 18, 2021 (Dkt. 4). To date, Plaintiff has not done so.

On October 26, 2021, the Magistrate Judge issued a Report and Recommendation (Dkt. 9) recommending that Plaintiff's action be dismissed without prejudice for failure to comply with the Court's orders. Plaintiff was advised of his right to file an objection to the Report and Recommendation (Dkt. 9) by November 12, 2021, but Plaintiff did not do so.

Plaintiff did, however, file a document titled, “Request on Waiver of All Costs, Fees, and Fines” (Dkt. 13) on November 17, 2021. To the extent this filing may be considered an objection, it neither relates to nor properly addresses the deficiencies identified in the Report and Recommendation (Dkt. 9) and the Court’s September 30, 2021

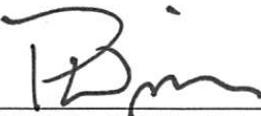
Order (Dkt. 4).

Accordingly, after reviewing this matter de novo, the Court agrees that this action should be dismissed without prejudice for the reasons set forth in Magistrate Judge Erwin's "Report and Recommendation" (Dkt. 9). Should Plaintiff wish to re-file his claims and proceed *in forma pauperis*, he is instructed to use the proper forms and file a motion providing the information required to do so.

Accordingly, the Court:

- (1) **ADOPTS** the "Report and Recommendation" (Dkt. 9) issued by the Magistrate Judge on October 26, 2021; and
- (2) **DISMISSES WITHOUT PREJUDICE** Plaintiff's 42 U.S.C. § 1983 action.

IT IS SO ORDERED this 19th day of November 2021.



PATRICK R. WYRICK
UNITED STATES DISTRICT JUDGE